

REMARKS

Applicants respectfully request reconsideration of the present application.

Claims 1, 3-5, 10-14, 16-19 and 22-36, 38-39 remain pending in the present application.

Claims 12-14 and 16-18 have been previously withdrawn. Claims 1, 19, 31 and 33 are independent.

Claim rejections – 35 U.S.C. §112

Claims 10, 25, 27 and 29-30 and 32 stand rejected under 35 U.S.C. 112, second paragraph because the claims recite “allow,” and allegedly those terms do not provide positive recitation. Without conceding to the propriety of the rejection, applicants are amending independent claims 10, 25, 27 and 29-30 and 32 to delete the words “allow.” The claims now recite their respective elements positively.

Claim Rejections – 35 U.S.C. §102

Claims 1, 4-5, 10, 19, 25, 27-28 and 37 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent Application Publication US 2001/0042022 to Kirkpatrick et al. (“Kirkpatrick”). In response to applicant’s previous response that Kirkpatrick does not disclose or suggest every element claimed, the Examiner maintains the rejections over Kirkpatrick, citing particularly, Kirkpatrick’s paragraph [0009] and [0042] as allegedly disclosing “receiving a user login using user’s account at a web site associated with the manufacturer” wherein, “when a user subsequently logs into the web site associated with the

manufacturer, presenting said web page for the user to verify and update said product registration information and said customer information.”

To anticipate a claim, the reference must teach every element of the claim, that is, the cited reference must disclose an identical invention. See, MPEP §2131. Kirkpatrick does not disclose or suggest every element claimed. For instance, Kirkpatrick does not disclose or suggest, “receiving a user login using user’s account at a web site associated with the manufacturer,” and “when a user subsequently logs into the web site associated with the manufacturer, presenting said web page for the user to verify and update said product registration information and said customer information; and completing a product registration of said one or more products when the user verifies and updates said product registration information and said customer information,” claimed in claim 1 and similarly claimed in claims 19, 31 and 33.

The Examiner cites Kirkpatrick’s paragraph [0009], [0042] and particularly the discussion of the purchase transaction completion point as allegedly disclosing those elements. While those passages of Kirkpatrick describe identifying during the purchase transaction a completion point representative of when the purchase is complete, and displaying the online registration form subsequent to the completion point for allowing a user to register, Kirkpatrick is still referring to the same online transaction that included the purchase. The cited paragraph [0042] of Kirkpatrick discloses that after having registered a product, a consumer may be provided with a password. Kirkpatrick, however, still does not disclose or suggest that a user logs into customer’s account at Website associated with manufacturer’s location subsequent to the time of purchase and before the registration, and completes the registration process, for

example, after verifying the information. Thus, while Kirkpatrick appears to allow a consumer purchasing goods from an online retailer to register products during the online purchase transaction, Kirkpatrick does not disclose or suggest an option for the consumer to separately log on and complete a product registration subsequent to the purchasing of the product.

Unlike Kirkpatrick that discloses consumers completing registration at the point of online purchase, the independent claims of the present application recite that user “subsequently” completes the registration, using the web page generated with the information previously transmitted to the manufacturer at the time of the purchase. Applicant notes that Kirkpatrick does not even transmit the information to the manufacturer (see e.g., Kirkpatrick’s paragraph [0011], which state, “Moreover, it will be understood that the terms registration and registration process do not require the delivery of consumer information to a manufacturer or other provider of good or services”).

For at least the above reasons, Kirkpatrick does not anticipate claims 1, 19, 31 and 33 and their respective dependent claims by at least virtue of dependency.

Claim Rejections – 35 U.S.C. §103


Claims 3, 22-24, 27-28, 31 and 33-36 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kirkpatrick in view of U.S. Patent Application Publication 2001/0025245 to Flickinger et al. (“Flickinger”). Claims 11, 29-30, 32, 36 and 38 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kirkpatrick in view of Flickinger, still in further view of U.S. Patent Application Publication US 2001/0034609 to Dovolis

("Dovolis"). Claim 26 was rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Kirkpatrick in view of Flickinger and in further view of U.S. Patent 6,069,941 to Byrd et al. ("Byrd").

Because Kirkpatrick fails to disclose or suggest the elements of independent claims as discussed above with respect to section 102(e) rejection, and because the rest of the references do not make up for which Kirkpatrick apparently lacks, claims 3, 22-24, 27-28, 31 and 33-36, claims 11, 29-30, 32 and 36, and claims 38-39 are also believed to be patentable over the cited references for at least the same reasons. Further, the cited references do not disclose or suggest, allowing a user to verify and update the information transmitted at the time of purchase, when the user subsequently logs on to complete the registration.

This communication is believed to be fully responsive to the Office Action and every effort has been made to place the application in condition for allowance. A favorable Office Action is hereby earnestly solicited. If the Examiner believes a telephone conference might expedite prosecution of this case, it is respectfully requested that the Examiner call applicant's attorney at (516) 742-4343.

Respectfully submitted,


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